

Message Text

CONFIDENTIAL

PAGE 01 SANTIA 00487 01 OF 02 182116Z
ACTION ARA-06

INFO OCT-01 ISO-00 SS-14 SP-02 DHA-02 L-01 INR-05 IO-06
SY-02 PM-03 /042 W
-----182136Z 084858 /73
R 181614Z JAN 77
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC 3052

C O N F I D E N T I A L SECTION 1 OF 2 SANTIAGO 487

STADIS////////////////////////////////

LIMDIS

E. O. 11652: GDS
TAGS: SHUM, CI
SUBJECT: CHILE: A REVIEW ON HUMAN RIGHTS

1. SUMMARY: DURING 1976, HUMAN RIGHTS PRACTICES IN CHILE IMPROVED APPRECIABLY, ALTHOUGH THE BASIC INTERNAL SECURITY SYSTEM HAS NOT BEEN CHANGED. THE NEW ADMINISTRATION WILL WISH TO CONSIDER HOW U.S. INFLUENCE CAN BEST BE APPLIED TO ENCOURAGE FURTHER STEPS TOWARD THE RESTORATION OF NORMAL CONDITIONS IN CHILE. WE SUGGEST STUDY OF A TWO-PRONGED APPROACH, DISTINGUISHING BETWEEN PROCEDURAL PROTECTION AND DUE PROCESS FOR THE INDIVIDUAL ON THE ONE HAND, AND MOVEMENT TOWARD A MORE OPEN, PARTICIPATORY SOCIETY ON THE OTHER. END SUMMARY.

2. WE START FROM THE OBJECTIVE FACT THAT THE YEAR 1976 WITNESSED A DEFINITE IMPROVEMENT IN HUMAN RIGHTS PRACTICES IN CHILE. WHEN THE YEAR BEGAN, OVER 3,500 PERSONS WERE CONFINED FOR POLITICAL OFFENSES (INCLUDING THOSE TRIED AND CONVICTED FOR POSSESSING ARMS); 800 OF THESE WERE HELD WITHOUT TRIAL OR CHARGE UNDER STATE OF SIEGE PROVISIONS. REPORTS OF ARBITRARY ARRESTS, MYSTERIOUS DISAPPEARANCES AND TORTURE WERE COMMON. DURING 1976 APPROXIMATELY 2,700 POLITICAL PRISONERS WERE RELEASED. OF THE 800 STILL
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 SANTIA 00487 01 OF 02 182116Z

INCARCERATED, ONLY ONE IS HELD WITHOUT CHARGE OR TRIAL UNDER STATE OF SIEGE, AND HE IS INVOLVED IN A PROPOSED EXCHANGE. SEVERAL HUNDRED OF THOSE AWAITING TRIAL OR CONVICTED AND SERVING HAVE BEEN RELEASED ON BAIL OR AFFORDED PROVISIONAL LIBERTY. MOVEOVER, THE NUMBER OF PERSONS DETAINED OR MISSING UNDER SUSPICIOUS CIRCUMSTANCES, AS WELL AS REPORTED CASES OF TORTURE, HAVE DECREASED MARKEDLY.

3. ON THE OTHER HAND, THE AUTHORITARIAN GRIP OF THE JUNTA REMAINS BASICALLY UNIMPAIRED. LEFTIST ADVERSARIES OF THE GOVERNMENT, AND OTHERS, CONTINUE TO DISAPPEAR MYSTERIOUSLY. CHILE STILL LIVES UNDER THE EMERGENCY PROVISIONS OF A STATE OF SIEGE, WHICH IN EFFECT SUSPENDS DUE PROCESS OF LAW FOR REAL OR IMAGINED DISSIDENTS.

THE DIRECTORATE OF NATIONAL INTELLIGENCE (DINA) CONTINUES TO OPERATE AS A Pervasivse SECRET POLICE FORCE, APPARENTLY SUBJECT TO LITTLE GOVERNMENT CONTROL. WHILE THREATS TO CRACK DOWN ON CHRISTIAN DEMOCRATIC PARTY LEADERS HAVE NOT BEEN CARRIED OUT, DEMOCRATIC TRADE UNION LEADERS ARE BEING SUBJECTED TO INCREASING PRESSURE. AND WHILE THE GOVERNMENT WOULD DISPUTE IT, OUR READING OF RECENT CONSTITUTIONAL AND OTHER POLITICAL DEVELOPMENTS WOULD BE THAT NO IMPORTANT STEP HAS YET BEEN TAKEN LOOKING TOWARD THE RESTORATION OF FREE POLITICAL INSTITUTIONS.

4. IN SHORT, THE IMPROVEMENT NOTED IN 1976, WHILE APPRECIABLE, IS LESS THAN FUNDAMENTAL. IT NEVERTHELESS INVOLVES A MARKED SHIFT FOR THE BETTER IN GOC PRACTICES. WE THINK THIS PROGRESS IS THE RESULT OF THREE FACTORS: U.S. POLITICAL AND ECONOMIC PRESSURE; THE FORCE OF WORLD OPINION, NOT ONLY IN THE WESTERN EUROPEAN STATES BUT ALSO IN THE NON-ALIGNED WORLD; AND GREATER SELF-CONFIDENCE ON THE PART OF THE GOC MILITARY IN THEIR ABILITY TO MAINTAIN INTERNAL SECURITY EVEN WITH RELAXED CONTROLS.

5. IT IS DIFFICULT TO DETERMINE THE RELATIVE WEIGHT OF THESE FACTORS, BUT WE FEEL THAT THE AMERICAN ELEMENT MAY WELL HAVE BEEN PREDOMINANT. WHILE THE GOC HAS BEEN ABLE TO ADJUST TO THE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 SANTIA 00487 01 OF 02 182116Z

CESSATION OF U.S. MILITARY ASSISTANCE AND THE SHARP CUTBACK ON BILATERAL ECONOMIC ASSISTANCE, IT REALIZES THAT IT WOULD SUFFER MUCH MORE SEVERELY IF THE U.S. SHOULD SPEARHEAD A BOYCOTT OF CHILE BY THE INTERNATIONAL FINANCIAL INSTITUTIONS OR OTHERWISE STEP UP ITS PUNITIVE MEASURES. MOREOVER, AS TENSION BETWEEN CHILE AND PERU INCREASES, THE CHILEANS MUST REALIZE THE DANGERS INVOLVED IN FURTHER ANTAGONIZING THE UNITED STATES AND OTHERS. DIPLOMATIC ISOLATION IS A LUXURY THE CHILEANS CAN ILL AFFORD TODAY.

6. THUS IT CAN REASONABLY BE SAID THAT THE PRESSURES EXERTED BY THE CONGRESS AND THE EXECUTIVE BRANCH OF THE USG -- AND THE POSSIBILITY OF ADDITIONAL PRESSURES -- HAVE BEEN INSTRUMENTAL IN STIMULATING SOME HUMAN RIGHTS IMPROVEMENTS IN CHILE. THE QUESTION REMAINS: WHAT OBJECTIVES SHOULD THE NEW ADMINISTRATION SET FOR THE PERIOD IMMEDIATELY AHEAD, AND WHAT MEASURES WOULD BE MOST APPROPRIATE TO ACHIEVE THEM. IN PART THE ANSWER WILL DEPEND ON THE EVOLUTION OF OUR GENERAL HUMAN RIGHTS POLICY WITH RESPECT TO REPRESSIVE REGIMES EVERYWHERE. BUT THE CHILEAN CASE HAS HAD

CERTAIN UNIQUE ASPECTS.

7. WE ASSUME THAT THERE IS UNLIKELY TO BE MUCH DISPUTE OVER CONTINUING THE EXISTING USG POLICY LINE WITH RESPECT TO HUMAN RIGHTS IN CHILE, NARROWLY DEFINED AS PROTECTION OF THE SECURITY OF THE INDIVIDUAL AND THE EXISTENCE OF DUE PROCESS OF LAW. THE TIME HAS PASSED WHEN INDIVIDUAL OR MULTILATERAL STEPS TAKEN BY NATIONS TO INHIBIT SUCH PRACTICES COULD BE CONSIDERED INTERVENTION IN INTERNAL AFFAIRS, IN THE CLASSICAL SENSE.

8. BUT THE ISSUE BECOMES LESS CLEAR IN THE AREA OF BROADER POLITICAL FREEDOMS AND DEMOCRATIC PRACTICES. WE DEFINITELY PREFER THEM; BUT EQUALLY, OUR COMMITMENT TO

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 SANTIA 00487 02 OF 02 182117Z
ACTION ARA-06

INFO OCT-01 ISO-00 SS-14 SP-02 DHA-02 L-01 INR-05 IO-06
SY-02 PM-03 /042 W
-----182136Z 084886 /73

R 181614Z JAN 77
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC 3053

C O N F I D E N T I A L SECTION 2 OF 2 SANTIAGO 487

STADIS////////////////////////////////

LIMDIS

LIBERAL DEMOCRATIC INSTITUTIONS CANNOT REALISTICALLY BE MANIFESTED ABROAD WITH THE SAME EXIGENCY AS OUR COMMITMENT TO FUNDAMENTAL HUMANITARIAN GUARANTEES.

9. IF THE U.S. SHOULD EXERCISE DIRECT BILATERAL PRESSURE TO BRING ABOUT SIGNIFICANT CHANGES IN CHILE'S POLITICAL SYSTEM, THE JUNTA WOULD PROBABLY REGARD THIS AS A NAKED EFFORT TO OUST IT FROM POWER. FOR GOVERNMENTS AS WELL AS FOR INDIVIDUALS, SURVIVAL IS A PRIMARY OBJECTIVE. IF THE JUNTA SHOULD COME TO BELIEVE THAT THE U.S. WERE TRYING TO DISPLACE IT, U.S. INFLUENCE WOULD DECREASE DRASTICALLY; THE PROSPECT FOR ACHIEVING FURTHER IMPROVEMENTS IN HUMAN RIGHTS PRACTICES WOULD BE DIMINISHED AS THE CHILEANS REACTED WITH A SIEGE MENTALITY; AND THE RESULT WOULD WELL BE TO UNDO ALL THAT HAS THUS FAR BEEN GAINED. WE DO NOT MEAN

TO SUGGEST THAT THE USG SHOULD EVER FAIL TO MAKE CLEAR ITS VIEWS ON THE SUPERIORITY OF AN OPEN, PLURALISTIC SOCIETY. WHAT IS AT ISSUE IS THE MEANS TO BE USED IN THIS AREA, NOT THE OBJECTIVE.

10. FROM THE FOREGOING, WE CONCLUDE THAT THE USG SHOULD REVIEW ITS HUMAN RIGHTS POLICY TOWARD CHILE IN ALL ITS ASPECTS, PERHAPS STARTING WITH THE ANALYSIS CONTAINED IN THE 1976 CASP, ADJUSTED FOR THE IMPROVEMENTS NOTED DURING THE YEAR, WITH
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 SANTIA 00487 02 OF 02 182117Z

A VIEW TO DECISIONS ON A TWO-PART PROGRAM:

-- FIRST, THAT THE NEW ADMINISTRATION CONSIDER WHAT MEASURES IT SHOULD TAKE SO AS MOST EFFECTIVELY TO INDUCE THE GOC TO RESTORE DUE PROCESS PROTECTION TO ITS CITIZENS; ABOLISH DINA OR SUBJECT IT TO ADEQUATE CONTROLS; AND OPEN CHILE'S DOORS TO RESPONSIBLE INTERNATIONAL INSPECTIONS GROUPS.

-- SECOND, THAT THE ADMINISTRATION CONSIDER HOW WE MAY BEST HELP STIMULATE THE GOC TO TAKE CONCRETE STEPS TOWARDS ITS ANNOUNCED OBJECTIVE OF THE RESTORATION OF SOME TYPE OF DEMOCRATIC PRACTICES IN CHILE. EARLY STEPS MIGHT INCLUDE ELECTIONS IN THE NEIGHBORHOOD BODIES, TRADE UNIONS AND TOWNS; SUBMISSION OF NEW CONSTITUTIONAL PROVISIONS TO A NATIONAL REFERENDUM; A MAJOR EFFORT AT COOPERATION ACROSS EXISTING POLITICAL LINES IN BEHALF OF SPECIFIC, ACCEPTED NATIONAL OBJECTIVES (I.E., A FORM OF NATIONAL RECONCILIATION), AND GREATER FREEDOM IN THE PRESS AND MEDIA.

11. AS THIS ENUMERATION INDICATES, THESE ARE AREAS IN WHICH FOREIGN INFLUENCE MUST BE EXERCISED DISCREETLY AND THROUGH SUGGESTION. BUT IN VIEW OF THE SPECIAL CHARACTER OF U.S. RELATIONS WITH CHILE OVER THE BETTER PART OF A GENERATION, WE THINK THE SUBJECT WARRANTS CONSIDERATION.

12. PROCEDURALLY, WE SUGGEST THAT A NEW PLANNING DOCUMENT COVERING THE FOREGOING MATERIAL BE PREPARED IN THE DEPARTMENT AT AN EARLY STAGE. SUCH A PAPER, INCLUDING A PLAN OF ACTION, COULD SERVE AS A BASIS FOR A NEW PHASE IN CHILEAN-AMERICAN RELATIONS, WHICH ARE NOW LARGELY STATIC. THE GOC REALIZES THAT THE BEGINNING OF A NEW ADMINISTRATION IN WASHINGTON GIVES IT AN OPPORTUNITY FOR A NEW START IN THESE RELATIONS. WITH THIS POINT IN MIND, IT IS SENDING A NEW AMBASSADOR TO WASHINGTON. WE SHOULD CONSIDER HOW THE U.S. CAN EXPLOIT THE OPPORTUNITY, NOT ONLY FOR NARROW BILATERAL REASONS BUT BECAUSE WHAT HAPPENS WITH REGARD TO HUMAN RIGHTS IN CHILE HAS A PARTICULAR BEARING ON THE WHOLE RANGE OF INTERNATIONAL HUMAN RIGHTS ACTIVITIES IN ALL QUARTERS.
POPPER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, POLITICAL SITUATION, PUBLIC ADMINISTRATION, LIVING CONDITIONS, PUBLIC ATTITUDES
Control Number: n/a
Copy: SINGLE
Sent Date: 18-Jan-1977 12:00:00 am
Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977SANTIA00487
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770018-1102
Format: TEL
From: SANTIAGO
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770141/aaaabjto.tel
Line Count: 218
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 707247d5-c288-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: LIMDIS, STADIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: LIMDIS, STADIS
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 01-Apr-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3571328
Secure: OPEN
Status: NATIVE
Subject: CHILE: A REVIEW ON HUMAN RIGHTS
TAGS: SHUM, CI
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/707247d5-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009